

REMARKS

Reconsideration of this application is respectfully requested.

The present response is supplemental to the response filed January 14, 2004. Therefore, all amendments and remarks made in the present action supplements the remarks/arguments made in the previous response of January 14, 2004.

In the Office Action, the Examiner rejects claims 1-7 under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 4,973,529 to Grasso et al. (hereinafter "Grasso"). The Examiner alleges that the claims are rendered obvious by the teachings of Grasso. In response, independent claims 1, 5, 6 and 7 have been amended to clarify their distinguishing features. Claim 3 has been cancelled, and claims 8-12 have been added.

The present invention, as recited in claim 1 and shown in Figs. 1-4, provides for a fuel cell power generating system comprising a fuel cell unit 1, a water storage tank 2 for supply water to serve as coolant for the fuel cell unit 1, a water treatment system 3 which performs purification of the supply water in the water storage tank 2 and supplies the resultant water as coolant to the fuel cell unit 1, a heat exchanger 4 for recovering the exhaust heat as heating means which heats up water using the exhaust heat from the fuel cell unit 1, a hot water storage tank 5 which retains hot water obtained by using the heat exchanger 4, and a condensed-water supply system 6 which supplies the water storage tank 2 with condensed water obtained by condensing steam from the hot water in the hot water storage tank 5.

Further, claim 1, as amended, recites that the condensed-water supply system has a heat exchanger for condensing steam from the hot water in the hot water storage tank by cooling that steam with auxiliary water to be supplied to the hot water storage tank and recovering the

condensed water, and a condensed-water supply path for supplying the condensed water recovered by the heat exchanger to the water storage tank.

Claim 5, as amended, recites the step of condensing steam from the hot water in the hot water storage tank, and supplying the water storage tank with condensed water obtained by condensing steam from the hot water in the hot water storage tank.

Claims 6 and 7, as amended, recite that the heat exchanger is provided in the auxiliary water supply path, and condenses the steam in the exhaust gas by cooling the steam with the auxiliary water flowing in the auxiliary water supply path.

Support for the claim amendments is found throughout the specification; specifically, on page 8, lines 7-27. Claims 8-12 are dependent claims for which support is found on page 11, line 27 – page 12, line 28, and page 14, lines 18-19. Therefore, Applicants respectfully submit that no new matter has been added by way of the amendment to and addition of the claims.

Grasso discloses hot water stored in the fuel cell. Grasso fails to teach that the condensed water is obtained by condensing steam from the hot water in the hot water storage tank. Grasso discloses drawing steam from the coolant, and supplying the condensed steam to a degasifier.

Grasso never takes advantage of condensing the steam from the hot water in the hot water tank to supply condensed water to the water storage tank, thereby reducing the load of demineralization or the like applied to the water treatment system, thus reducing the equipment cost and the operation cost, as is achieved by the present invention, as recited in independent claims 1 and 5.

Furthermore, independent claims 6 and 7 clearly recite a hot water storage tank and an auxiliary water supply path for supplying auxiliary water to the hot water storage tank, in which a heat exchanger condenses steam in an exhaust gas discharged from the fuel cell stack by

cooling the steam with the auxiliary water flowing in the auxiliary water supply path. Water purifying equipment for purifying water recovered by the heat exchanger is supplied as coolant to the coolant circulation path. Grasso fails to teach the above limitations.

It has been held by the Courts that to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Grasso fails to disclose or render obvious the limitations as provided in the claims as stated above. Therefore, Applicant respectfully submits that the 35 U.S.C. §103(a) rejection of claims 1-7 under Grasso is improper, and should be withdrawn. Accordingly, Applicant respectfully requests allowance of claims 1-7.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



Aasheesh V. Shravah
Registration No. 54,445

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

AVS:jap